

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BISMARCK LITHGOW,	:
	:
Petitioner,	:
	:
-against-	:
	:
WILLIAM F. KEYSER,	:
	:
Respondent.	:
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/20/21
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20-CV-3655 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Petitioner submitted a letter to the Court replying to Defendant’s response to Petitioner’s objections to Magistrate Judge Lehrburger’s Report and Recommendation (“R&R”), Dkt. 37;

WHEREAS that letter is dated September 25, 2021, one day after the Court issued its order adopting the R&R on September 24, 2021, Dkt. 35;

WHEREAS Petitioner likely had not yet received the Court’s order adopting the R&R at the time he mailed his letter;

WHEREAS Petitioner requests in his letter that the case be stayed to allow him to exhaust his administrative remedies or that it be dismissed without prejudice; and


WHEREAS the Court dismissed the case without prejudice in its order adopting the R&R, Dkt. 35;

IT IS HEREBY ORDERED THAT Petitioner’s letter be deemed moot as the Court has already dismissed this case without prejudice.

IT IS FURTHER ORDERED THAT the Clerk of Court is respectfully directed to mail a copy of this order to Petitioner.

**SO ORDERED.**

**Date: October 20, 2021**  
**New York, NY**



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**VALERIE CAPRONI**  
**United States District Judge**